



**Frank R. Ellerbe, III**

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November 19, 2015

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**VIA ELECTRONIC FILING**

Jocelyn Boyd, Chief Clerk/Administrator  
Public Service Commission of South Carolina  
Synergy Business Park, Saluda Building  
101 Executive Center Drive  
Columbia, SC 29210

**Re: Application of Duke Energy Progress, LLC to Update its Fuel Factor to  
Recover the Costs of its Approved Distributed Energy Resource Program  
Docket No. 2015-1-E.**

Dear Ms. Boyd:

In the referenced application Duke Energy Progress LLC (“DEP”) seeks approval and recovery of its Distributed Energy Resources Program (“DERP”) costs as permitted by the provisions of Act 236 of 2014 codified at S.C. Code Ann. §58-39-140. In addition to DEP and the Office of Regulatory Staff (“ORS”) the only other party to the proceeding is Nucor Steel – South Carolina (“Nucor”). All parties have now reached a settlement of all issues in the proceeding. The Settlement Agreement was filed with the Commission by the ORS on November 18, 2015.

A hearing in this docket is currently scheduled for December 1, 2015. DEP respectfully requests that the Commission consider the Settlement Agreement as submitted by the parties without requiring the hearing. In the Settlement Agreement both the ORS and Nucor have agreed to the DERP rates as proposed in the application filed by DEP. There are no adjustments or revisions of rates from those proposed by the Company. The DERP rates supported by the parties in the Settlement Agreement are exactly the rates set out in the Notice of Filing that was published and provided to ratepayers. Under the provisions of S.C. Code Ann. §58-39-140(B) this Commission has the discretion to decide whether to hold a hearing on this application (“The Commission may hold a hearing...”) and, pursuant to S.C. Code Ann. §58-27-870(F), the proposed rates do not require a determination of the entire rate structure and overall rate of return and will facilitate an orderly rate administration. DEP submits that under the circumstances presented in this proceeding the public interest would be served by not holding a hearing. Counsel for DEP has been authorized by counsel for the other parties to represent that the ORS and Nucor support the request that the hearing in this matter be cancelled.

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Thank you for your consideration of this request and please let me know if there any questions of if additional information would be helpful.

Yours truly,

ROBINSON, MCFADDEN & MOORE, P.C.

A handwritten signature in black ink, appearing to read "Frank R. Ellerbe, III". The signature is fluid and cursive, with a prominent "F" and "E".

Frank R. Ellerbe, III

FRE/tch

cc: F. David Butler, Hearing Examiner  
Andrew M. Bateman, Office of Regulatory Staff  
Shannon Bowyer Hudson, Office of Regulatory Staff  
Garrett A. Stone, Stone Mattheis Xenopoulos & Brew, PC  
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